



PECFA POST



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PECFA FINANCIAL UPDATE

Following is an update with regard to the financial status of PECFA. The PECFA fund currently has \$13.2 million dollars remaining from the \$68 million dollars annually allocated to pay claims for this fiscal year ending June 30, 2004. However, on February 5, 2004, PECFA received an additional \$ 44.9 million dollars to pay claims from the sale of revenue bonds. This will allow the fund to stay current with reimbursements through the end of the summer.

Currently, claims totaling \$9,386,956.47 dollars have been reviewed and are waiting to be paid. These claims were scheduled for payment during the month of February 2004. Claims received the first week in December 2003 are presently being audited and are scheduled for payment in March 2004. Priority claims are audited approximately one week from the date they are received and payments are currently scheduled for March 2004.

REGIONAL SERVICE PROVIDER PILOT STILL IN THE WORKS

In the last issue of the PECFA Post, the Wisconsin Department of Commerce (Commerce) indicated that it was going to move forward with a pilot study to establish regional service providers (RSPs) in the Wisconsin Department of Natural Resources (WDNRs) northeast region. It was the goal of Commerce to include specifications for RSPs in public bid round 30; however, due to workload issues and the complexity of the RSP work scopes, it became apparent that this was not feasible. Commerce intends to move forward with the RSP pilot study in a future bid round.

COMPLETED SITE INVESTIGATIONS AND CLAIM SUBMITTALS

Commerce implemented the process of progress payments, described in Comm 47.35 as a mechanism to save costs. These progress payments enable the responsible party (RP) to submit a claim when certain milestones have been achieved. The progress payment reduces the amount of interest that accrues as the site is moved toward closure.

In an effort to expedite site investigation progress payments and keep interest costs to a minimum, milestone approval language is included in the Commerce letter entitled *Site Investigation Complete to Bid*. The letter is to inform the RP that the site investigation is considered complete and the "Public Bid Process" will be implemented to establish a cost cap to move the site to closure. Additional language has now been included to inform the RP that a milestone claim may be submitted for the completion of the site investigation.

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COPY WDNR ON SUBMITTALS TO COMMERCE

To prevent any delay in reviews of recosting requests, Commerce is reminding consultants that the WDNR project manager must be copied on all submittals to Commerce for sites where the WDNR is the agency with jurisdiction.

TRACKER ON THE WEB

Commerce is adding information from the Bureau of PECFA database, called TRACKER, to its website for public viewing. The following link will allow you to view the TRACKER data that is available: http://apps.commerce.state.wi.us/ER_Tracker/GetSites. Both site review and claim review information can be viewed; however, no confidential financial data, such as tax identification information is accessible. The accessible Claims Review Section information includes data regarding reimbursement amounts and current claim information. The Site Review Section information includes submittals received and actions taken by Commerce. This data is for information purposes only, and may not always be current. Commerce recommends that decisions are not based on the information on the website. Prior to any action, Commerce recommends the reviewer listed for each site be contacted for specific information.

NORTHEAST REGION CONSULTANT'S DAYS

The WDNR Northeast Region and the Federation of Environmental Technologists, Inc. will hold Northeast Region Consultant's Day on March 31, 2004. On-line registration information and the agenda are available from the WDNR website at: http://www.dnr.state.wi.us/org/aw/rr/general/calendar/ner_agenda.pdf.

PECFA CONSULTANT SELECTION FORM ON THE WEB

In the continuing effort to improve the PECFA program reporting process, the "Notification of PECFA Consultant Selection" form is now on the web. This form was created to aid in the tracking of the consultants selected through the bidding process. The form is available on the Wisconsin Department of Commerce (Commerce) website. To access the form, use the following link: <http://www.commerce.state.wi.us/ER/ER-PECFA-Forms.html>. Any comments and/or suggestions regarding the notification form are to be directed to Shawn Wenzel at: swenzel@commerce.state.wi.us or by telephone at 608-261-5401.

***PECFA Post* circulation and a request for Topics of Concern**

We are continuing to move toward total electronic distribution of the *PECFA Post*. We need your e-mail address if you are not already receiving the Post electronically. Forward your e-mail address to berdman@commerce.state.wi.us. If you do not have e-mail, you may call, (920) 303-5410, or write [Beth Erdman](#) at ERS Division, Bureau of PECFA, 2129 Jackson Street, Oshkosh WI 54901 and request to be placed on a mailing list.

We are always happy to receive suggestions for future *Post* topics or comments on current articles. Please use the e-mail or mailing addresses listed above to submit your suggestion(s) and / or comments to [Beth Erdman](#).

CONDITIONAL CLOSURES – SO CLOSE, YET SO FAR

Commerce has a significant number of sites granted conditional closure prior to the November 1, 2001 (groundwater) and August 1, 2002 (soil) development of the WDNR GIS Registry of Closed Remediation Sites. More than 300 conditionally closed sites have yet to achieve closed remedial action status (final closure). Many conditional closures required that a deed instrument be recorded to address residual contamination. Deed instruments and the GIS Registry are used, in part, to satisfy WDNR 714 public notification requirements; therefore, fulfilling these conditions is required to achieve final closure.

Commerce requests that RPs and their consultants, who oversee sites that have been conditionally closed, make arrangements to fulfill their responsibilities to attain final closure. Problems associated with the failure to achieve final closure include, but are not limited to, monitoring wells not being properly abandoned, complications with property transactions, and liability for not providing the required public notice. Commerce will pursue enforcement actions against RPs that do not fulfill their responsibilities.

Conditionally closed sites that are not finally closed will be listed with the last consultant of record in the next edition of the PECFA Post.

ONE PACKET OR TWO

The WDNR does not require submission of two separate GIS Registry packets for soil and groundwater. To register a site for both soil and groundwater GIS registration, provide only one packet containing the required information for both soil and groundwater contamination. Duplicate copies of documents are not necessary. This applies to all Commerce and WDNR sites requiring GIS registry. The packet is to be submitted to the agency with jurisdiction; however, for Commerce sites the registration fee is to be sent to the WDNR program assistant in the appropriate region.

The checklist for documents required for GIS Registry packets can be found on-line at <http://www.dnr.state.wi.us/org/aw/rr/archives/pubs/RR688.pdf>.

PLEASE, NO BOMB SQUADS

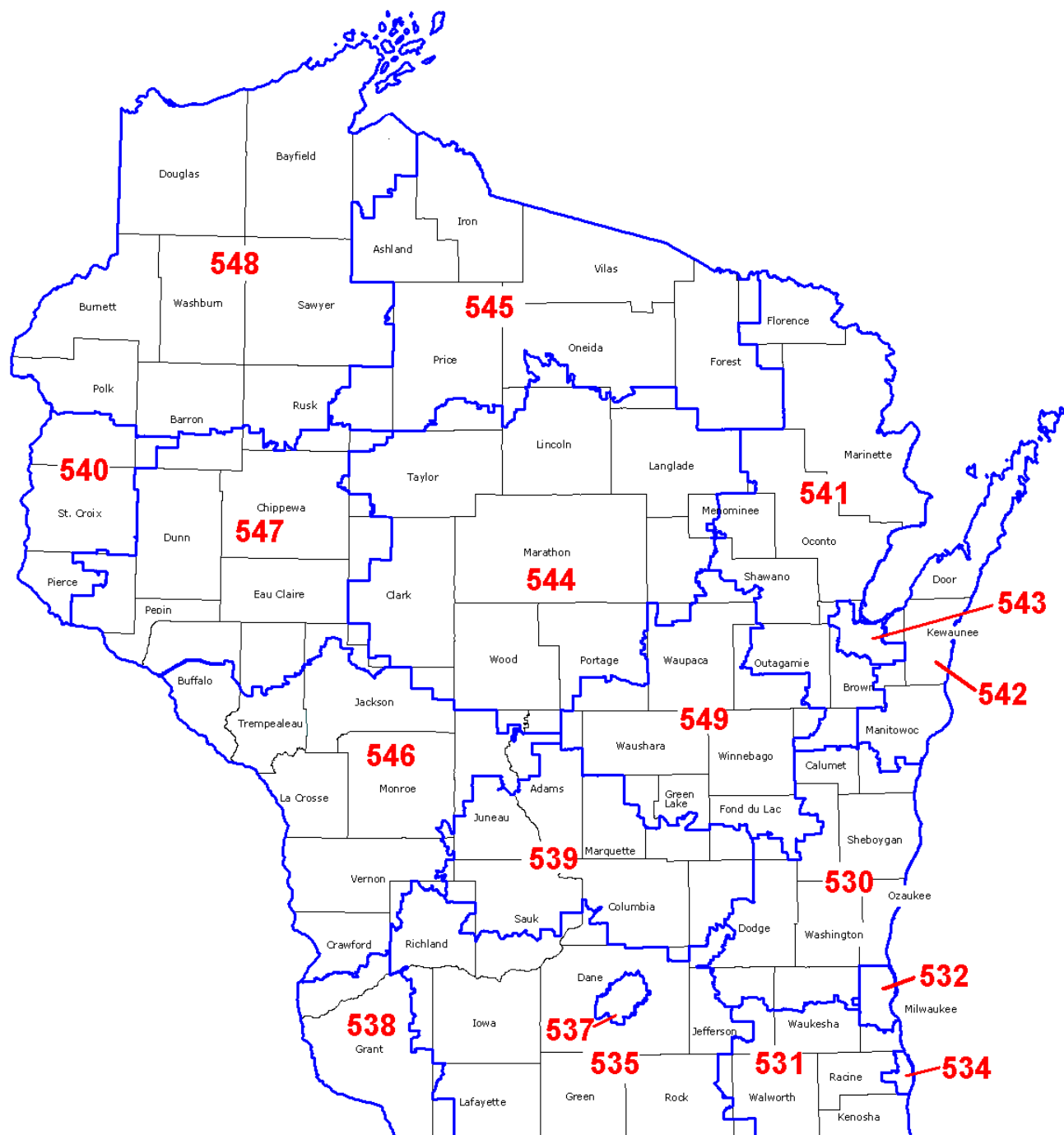
Due to heightened security levels during periods of increased terrorist threats, the WDNR and Commerce are requesting that consultants clearly label drums of investigative waste. Consultants are requested to use a grease pencil to label drums with the following information: BRTTS number, date, consultant name, and contents (i.e. soil or groundwater). Furthermore, drums stored in the public right-of-way or in the vicinity of public structures should be moved onsite, whenever possible.

This past holiday season, during a period of heightened security, the Green Bay bomb squad and the WDNR were contacted by the U. S. Coast Guard to investigate a drum labeled soil cuttings stored adjacent to the I-43 high rise bridge spanning the Fox River in Green Bay. Neither the Coast Guard nor the bomb squad knew what soil cuttings meant. The drum of soil cuttings was stored adjacent to a monitoring well installed in the public right-of-way as part of the site investigation for an oil terminal located near the bridge.

CONTACT THE WDNR WITH FEEDBACK

The WDNR has implemented a "customer feedback line" for the public to comment on services. Further information can be found on-line at <http://www.dnr.state.wi.us/org/caer/ce/news/on/2004/on200416.htm#art2>.

PECFA SITE REVIEW ZONE COVERAGE MAP



PECFA SITE REVIEW ZONE CONTACT INFORMATION

Bureau Director Oscar Herrera (608) 266-7605 WI Dept Of Commerce FAX 608-267-1381 201 W Washington Ave PO Box 8044 Madison WI 53708-8044		Section Chief Site Review Section Lori Huntoon (608) 261-7732 WI Dept Of Commerce FAX 608-267-1381 201 W Washington Ave PO Box 8044 Madison WI 53708-8044	
Program Assistant Cathy Voges (608) 261-7717 WI Dept Of Commerce FAX 608-267-1381 201 W Washington Ave PO Box 8044 Madison WI 53708-8044		Program Assistant Kristi Hammes (608) 267-3753 WI Dept Of Commerce FAX 608-267-1381 201 W Washington Ave PO Box 8044 Madison WI 53708-8044	
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Commodity Bid Waivers	Mary Ann Gosda (608) 266-9420	
Appeals Field Audit	James Moser (608) 267-1394	
Appeals Coordinator-Initial Contact for Appeals	Laura Pleasants (608) 261-2511	
Initial Claim Review	Diane Ploessl (608) 261-7723	
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